

Court of Appeals, State of Michigan

ORDER

Hala Herbert v Brennan M Kolhagen

Docket No. **356626**

LC No. **10-021384-DM**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the February 25, 2021 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under the plain language of MCR 7.202(6)(a)(iii) because it does not grant or deny a motion to change legal custody, physical custody, or domicile. *Varran v Granneman*, 312 Mich App 591; 880 NW2d 242 (2015), is inapposite because of the differing language of the former version of MCR 7.202(6)(a)(iii) considered in that opinion. Further, the holding in *Varran* that an order *granting* grandparenting time affected the custody of a minor was focused on its effect on the custodial rights of the parent in that matter. *Id.*, 605-606. Thus, even if the holding in *Varran* continued to have force under the current language of MCR 7.202(6)(a)(iii), it would not extend to an order *denying* grandparenting time.





A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 20, 2021

Date


Chief Clerk